

ORIGINAL

United States District Court

SOUTHERN

DISTRICT OF

GEORGIA

FILED
U.S. DIST. COURT
BRUNSWICK DIV
Jul 31 10 50 AM '98CLERK *L. LaVictorio*
SO. DIST. OF GA.

UNITED STATES OF AMERICA

V.

DIEGO TREJO
403 West 15th Street
Alma, Georgia

CRIMINAL COMPLAINT

CASE NUMBER: *M98-615*

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about February 17, 1998 in Bacon county, in the Southern District of Georgia defendant(s) did, (Track Statutory Language of Offense)

travel in interstate commerce from the State of Georgia to another unknown state with the intent to avoid prosecution, under the laws of the State of Georgia for a crime which is a felony.

in violation of Title 18 United States Code, Section(s) 1073.

I further state that I am a(n) FBI Special Agent and that this complaint is based on the following facts:

Official Title

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof:

☒ Yes ☐ No*P. Timothy McLean*
Signature of Complainant

Sworn to before me and subscribed in my presence,

Date

July 31, 1998

at

Brunswick, Georgia
City and StateHon. James E. Graham, U.S. Magistrate Judge
Name & Title of Judicial Officer*James E. Graham*
Signature of Judicial Officer

AFFIDAVIT

I, P. Timothy McNair, being first duly sworn, depose and say:

1. That I am a Special Agent of the Federal Bureau of Investigation (FBI), stationed in Brunswick, Georgia. In connection with my official responsibilities, I have been assigned the investigation of a violation of Title 18, United States Code, Section 1073, Unlawful Flight to Avoid Prosecution (UFAP), involving DIEGO TREJO.

2. On February 17, 1998, affiant received a formal request from Lieutenant JOHN MURRAY, Alma, Georgia, Police Department (APD), requesting FBI assistance in the location and apprehension of TREJO for violation of Title 18, United States Code, Section 1073, after TREJO allegedly murdered PAMELA ANN TREJO, at their residence at 403 West 15th Street, Alma, Georgia. An arrest warrant was issued in Alma, Georgia, charging DIEGO TREJO with murder, a felony in the State of Georgia.

3. On February 17, 1998, affiant was advised by Lt. MURRAY that District Attorney (DA) RICHARD E. CURRIE, Waycross Judicial Circuit, Waycross, Georgia, would authorize nationwide extradition of TREJO upon his apprehension and would pay all costs incurred during the extradition of TREJO to Bacon County, Georgia, to stand trial for pending state charges.

4. On February 17, 1998, affiant was advised by Lt. MURRAY

that on January 10, 1998, at approximately 7:00 p.m., the body of PAMELA ANN TREJO was discovered in the residence located at 403 West 15th Street, Alma, Georgia. The body was face down in a bathtub and the clothing from the waist up appeared to be blood soaked. The body of PAMELA ANN TREJO had numerous stab wounds. At approximately 7:10 p.m., EMT HAYES, Alma/Bacon EMS, checked the body and stated that rigor mortis had set in and that there was no pulse.

5. On February 17, 1998, Lt. MURRAY advised affiant that LATISHA VICENS, DIEGO TREJO's cousin's wife, reported that on January 10, 1998, at approximately 10:00 a.m., DIEGO TREJO stated to LATISHA VICENS that he had killed PAM TREJO because she had an affair.

6. On February 17, 1998, Lt. MURRAY advised affiant that GUILLERMO VICENS reported that on January 10, 1998, at approximately 2:15 p.m., DIEGO TREJO told GUILLERMO VICENS that he had killed PAM TREJO and that DIEGO TREJO was threatening to commit suicide.

7. On February 17, 1998, affiant was provided a copy of an arrest warrant for DIEGO TREJO secured by Lt. MURRAY (copy attached). Affiant was also provided with the following descriptive data regarding TREJO. DIEGO TREJO is a Hispanic male; date of birth November 30, 1973; place of birth Tecozautla, Hidalgo, Mexico; 5' 8" tall; 145 lbs.; Georgia State

Identification Number GA2445022W; FBI number 259358FB1.

8. On February 17, 1998, Lt. MURRAY advised affiant that TREJO was arrested and deported to Mexico in 1997 and that TREJO's parents reside in Mexico. MURRAY also reported that TREJO resided in Bartow, Florida from August, 1992 through August, 1994. While residing in Alma, Georgia, DIEGO TREJO worked as a farm and landscaping laborer.

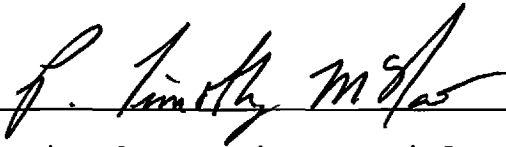
9. On July 28, 1998, Lt. MURRAY apprised affiant that TREJO's brother, EDGAR TREJO, resides in Alma, Georgia, and gave a signed statement on July 24, 1998, stating that he had not seen DIEGO TREJO since January 10, 1998, and had no knowledge of his current whereabouts. Lt. MURRAY also stated that DIEGO TREJO's cousin, GUILLERMO VICENS, gave a signed statement on July 27, 1998, stating that he had not heard anything from DIEGO TREJO since January 10, 1998, and that he does not know where DIEGO TREJO is.

10. On July 28, 1998, CARLTON BOURNE, Assistant United States Attorney, Southern District of Georgia, Savannah, Georgia, was apprised of the foregoing information. AUSA BOURNE advised that his office would authorize an Unlawful Flight to Avoid Prosecution (UFAP) process.

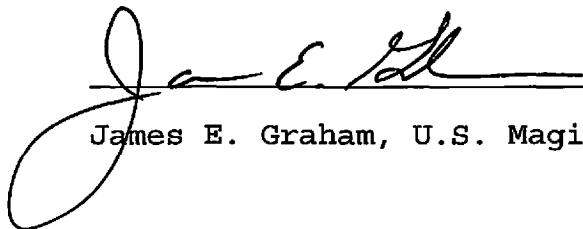
11. Based upon the facts above, affiant believes that there is sufficient information to believe that DIEGO TREJO has fled

the State of Georgia for the purpose of avoiding prosecution, in violation of Title 18, United States Code, Section 1073, Unlawful Flight to Avoid Prosecution, and files this affidavit in support of such a warrant.

Further your affiant sayeth naught.


P. Timothy McNair, Special Agent, FBI

Sworn to and subscribed before me this 31st day of July,
1998.


James E. Graham, U.S. Magistrate

BOND FOR APPEARANCE

State of Georgia, _____ County. Know all men by these presentments that we, _____ as Principal and _____ Security agree jointly and severally to pay _____ Dollars and for the true payment of which we bind ourselves by these presentments. The condition of the above obligation is such that the above principal shall personally appear at the _____ Court holden in and for said county on the _____ day of _____, 19_____, at _____ o'clock _____ M., and from day to day and term to term thereof until discharged by law to answer the offense of _____ as charged in the affidavit of _____, then the obligation to be null and void, else in full force and effect. In addition to all other requirements of the foregoing, we, principal and security agree that the above bond and recognizance is conditioned also upon the appearance of the principal before the court at the time fixed for his arraignment. And as to this obligation, we severally waive our rights to the benefits of Homestead Exemption laws of this State and of the United States as fully as we are authorized to do by the Constitution and laws of this State and the United States.

Signed with our hands and sealed with our seals this _____ day of _____, 19____
Attested by: _____

Approved by:

(L.S.)
(L.S.)
(L.S.)
(L.S.)

EXAMINATION

After having fully advised the defendant of the accusation against him, his right to have a committal hearing, his right to be represented by an attorney, (and his right to sign a waiver of said committal hearing) (and defendant having elected to sign a waiver of committal hearing), it is ordered that the defendant give bond in the amount of \$_____ for his appearance before the _____ Court located at _____ on the _____ day of _____, 19____, at _____ M. Given under my hand and seal _____
This _____ day of _____, 19____.

Judge

BILL OF COST

AGGREGATE

Issuing Warrant.....	
Arrest.....	
Keeping Prisoner.....	
Trial.....	
Issuing Subpoenas.....	each
Sub.....	Witnesses..... each
Ex.....	Witnesses..... each
Attendance.....	
Taking Preliminary Bond.....	
Taking Appearance Bond.....	
Commitment.....	
Total.....	

WITNESSES

[illegible]

No. 981022

CRIMINAL WARRANT

THE STATE
VS.

01260 711250

Residence 403 W. 15th St.

ALMA GAY

CHARGED WITH

MADEK (16-5-1)

Prosecutor

Residence A. P. D.

Phone

Warrant executed on the _____ day of _____

19

at _____ o'clock _____ M.: By

FORM 12

Warrant No.: 980000022

AFFIDAVIT FOR ARREST

GEORGIA, BACON COUNTY.

Personally came Charles E. Johnson, who on oath says that to the best of Affiant's knowledge and belief Diego Trejo did, in BACON County, GA, commit the offense of Murder (OCGA 16-5-1) between the hours of _____ and _____ on January 10, 1998. The place of said offense being: 403 W. 15th St. Alma. Said offense being described as:

The accused committed the offense of murder, when he unlawfully and with malice aforethought, express or implied, caused the death of another human being, to wit: That the Said Diego Trejo did commit the act of murder by causing the death of Pamela Ann Trejo.

and this deponent makes this Affidavit that a Warrant may issue for his/her arrest.

Sworn to and subscribed before me:

Date: 1/10/98

Charles E. Johnson
Charles E. Johnson

Hazel P. Buckins
Hazel Buckins, Magistrate

STATE WARRANT FOR ARREST

GEORGIA, BACON COUNTY.

TO ANY SHERIFF, DEPUTY, CORONER, CONSTABLE OR MARSHALL OF GEORGIA--GREETINGS:

For sufficient causes made known to me in the above affidavit and by other evidence establishing probable cause, YOU ARE HEREBY COMMANDED to arrest the accused named in the foregoing affidavit, charged by the prosecutor therein with an offense against the laws of this State at the time, place and manner in said affidavit, and bring him/her before me or some other judicial officer of this State to be dealt with as the law directs. HEREIN FAIL NOT.

Date: 1/10/98.

Hazel P. Buckins
Hazel Buckins, Magistrate

Date Bond Set: / /

Bond Amount:

0.00

Conditions of Bond: None